

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DAVID ALHAMZAWI,

Plaintiff,

v.

STATE OF TEXAS (CITY OF GARLAND),

Defendant.

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Civil Action No. **3:12-CV-1237-L**

ORDER


This case was referred to Magistrate Judge Magistrate Judge Paul D. Stickney, who entered Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) (Doc. 48) on February 26, 2014, recommending that the court grant Defendant City of Garland’s Motion to Dismiss Plaintiff’s First Amended Complaint (Doc. 30), filed August 6, 2013, and dismiss with prejudice Plaintiff’s section 1983 cause of action based on alleged constitutional violations. On March 12, 2014, Plaintiff filed a Motion for Additional Amended Findings, Conclusions, and Recommendations (Doc. 49), which the court construes as objections to the Report. Plaintiff contends that, contrary to the Report, he has standing and has stated a valid claim upon which relief can be granted.

After reviewing the pleadings, file, and record in this case, the court determines that the findings and conclusions of the magistrate judge are correct, **accepts** them as those of the court, **overrules** Plaintiff’s objections, **grants** the City of Garland’s Motion to Dismiss Plaintiff’s First Amended Complaint (Doc. 30), and **dismisses with prejudice** Plaintiff’s section 1983 cause of action against Defendant City of Garland. Having overruled Plaintiff’s objections, the court directs

the clerk to **term** Plaintiff filed a Motion for Additional Amended Findings, Conclusions, and Recommendations (Doc. 49).

Further, as Plaintiff was previously given an opportunity to amend his pleadings, and the magistrate judge determined that Plaintiff lacks standing even if the court were to consider the documents relied on by him, the court concludes that further attempts to amend would be futile. Moreover, when the court granted Plaintiff leave to amend his Complaint, it specifically informed Plaintiff that he would not be allowed to amend further because of the previous opportunities he had to state his claims. Order 2 (Jan. 30, 2013). Accordingly, Plaintiff will not be permitted to further amend his pleadings. The court will issue a judgment by separate document pursuant to Rule 58 of the Federal Rules of Civil Procedure.

It is so ordered this 14th day of March, 2014.


Sam A. Lindsay
United States District Judge